

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments is respectfully requested.

Initially, Applicant respectfully requests the Examiner to withdraw the final rejection issued June 25, 2003. Applicant submits that the Examiner's final rejection was premature. In rejecting claim 15 presented in Applicant's previously filed amendment, the Examiner cited new prior art. It is respectfully submitted that the citation of new prior art was not necessitated by Applicant's amendment. New claim 15 was a combination of originally filed claims 1 and 2. All of the method limitations set forth in new claim 15 were claimed in originally filed method claims 1 and 2. Accordingly, the need for citation of new prior art was not necessitated by Applicant's amendment. Accordingly, Applicant respectfully requests the Examiner to withdraw the final rejection.

With regard to the instant amendment, Applicant has combined previously submitted claims 7, 8, 9 and 10 into newly amended independent claim 15. Claims 7-10 have been cancelled. Dependent claim 11 has been amended so as to change the dependency from cancelled claim 10 to newly amended independent claim 15. It is respectfully submitted that even if the Examiner maintains the finality of his rejection (which Applicant submits is improper) the instant amendment should be entered as amended independent claim 15 presents the subject matter of previously claimed subject matter of cancelled dependent claims 7-10 in independent form. Accordingly, the amendment does not raise new issues, does not require a further search or consideration, and reduces the issues for appeal in the event the Examiner maintains his rejection.

It is respectfully submitted that independent claim 15 as amended herein clearly defines over the prior art of record. The Examiner in previously rejecting the claims as submitted employed EP 484 235 as the primary reference in combination with DE 19 63 73 18 and in further view of U.S. patent 3,994,087. As to how this rejection applies to amended independent claim 15, it is respectfully traversed.

EP 484 235, as can be seen from Figure 3, provides only a separate case of aluminum or plastic clips to a wooden frame. This has no relevance to the present invention. In addition, the Examiner in rejecting previously submitted claims 8, 9 and 10 did not cite any prior art to support his rejection of obviousness. Accordingly, it is submitted that the Examiner's rejection is fatally flawed.

In light of the foregoing, it is submitted that independent claim 15 and the claims which depend therefrom patentably define over the prior art of record and an early indication of allowance is respectfully requested.

In addition, it is submitted that the Examiner's final rejection is premature and should be withdrawn.

Finally, it is submitted that the instant application should be entered regardless of the finality of the Examiner's rejection in that it reduces the issues for appeal and does not require the Examiner to conduct a further search as it does not raise any new issues which would require further consideration.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

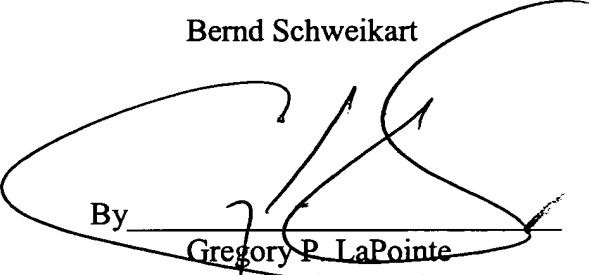
It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

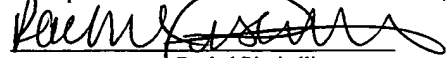
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Date: October 27, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 27, 2003


Rachel Piscitelli